

# Exhibit B

UNITED STATES BANKRUPTCY COURT  
FOR THE WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

In re:

B-1208 PINE, LLC,

Debtor.

Chapter 11

Case No. 24-10088-CMA

**BALLOT FOR ACCEPTING OR REJECTING PIVOT APARTMENT LENDER LLC'S  
PLAN OF LIQUIDATION FOR THE DEBTOR**

**THE VOTING DEADLINE TO ACCEPT OR REJECT THE PLAN IS JANUARY 2,  
2025 AT 5:00 P.M. (PREVAILING PACIFIC TIME). YOUR BALLOT MUST BE  
ACTUALLY RECEIVED BY THIS DEADLINE TO BE COUNTED.**

This ballot (the “Ballot”) is submitted to you to solicit your vote to accept or reject the Pivot Apartment Lender LLC’s (the “Proponent”) Plan of Liquidation (including all exhibits thereto and as the same may be amended, modified or supplemented from time to time, the “Plan”) for the above captioned debtor and debtor in possession (the “Debtor”) submitted by the Proponent, and described in the related Disclosure Statement for the Plan (including all exhibits thereto and as amended or supplemented from time to time, the “Disclosure Statement”) which has been approved by the United States Bankruptcy Court for the Western District of Washington (the “Bankruptcy Court”). The Disclosure Statement provides information to assist you in deciding how to vote your Ballot. If you do not have a Disclosure Statement, you may obtain a copy by contacting the Proponent’s counsel at Kriss & Feuerstein LLP, 360 Lexington Ave, Suite 1200, New York, New York 10017, Attn: Jerold C. Feuerstein, Esq., email: [jfeuerstein@kandfilp.com](mailto:jfeuerstein@kandfilp.com), Daniel N. Zinman, Esq., [dzinman@kandfilp.com](mailto:dzinman@kandfilp.com).

Copies of the Disclosure Statement are also available for inspection during regular business hours at the Office of the Clerk of the U.S. Courthouse, 700 Stewart Street, Seattle, Washington 98101 and may be viewed for a fee on the internet at the Bankruptcy Court’s website (<http://www.wawb.uscourts.gov/>) by following the directions for accessing the ECF system on such website. You should review the Disclosure Statement and the Plan before you vote. You may wish to seek legal advice concerning the Plan and your classification and treatment under the Plan. Capitalized terms used in this Ballot or the attached instructions but not otherwise defined herein have the meanings given to them in the Plan.

The Plan may be confirmed by the Bankruptcy Court and thereby made binding on you if it is accepted by the holders of the least two-thirds in amount and more than one-half in number of the Claims in each Impaired Class which is entitled to vote on the Plan and so votes, and if the Plan otherwise satisfies the applicable requirements of section 1129(a) of Title 11 of the United States Code, 11 U.S.C. §§ 101 et seq. (the “Bankruptcy Code”). If the requisite acceptances are not

obtained, the Bankruptcy Court may nonetheless confirm the Plan if it finds that the Plan (a) provides fair and equitable treatment to, and does not unfairly discriminate against, the Class or Classes rejecting the Plan and (b) otherwise satisfies the requirements of section 1129(b) of the Bankruptcy Code.

**PLEASE READ THE ATTACHED VOTING INFORMATION AND INSTRUCTIONS  
BEFORE COMPLETING THIS BALLOT**

**PLEASE COMPLETE ITEM 1 BELOW. IF THIS BALLOT IS NOT SIGNED ON THE  
APPROPRIATE LINE, THIS BALLOT WILL NOT BE VALID OR COUNTED AS  
HAVING BEEN CAST.**

**Item 1. Class Vote.** The undersigned, a holder of a claim in **Class(es)** \_\_\_\_\_ as of the Voting Record Date established by the Bankruptcy Court, in the amount set forth below, votes to (check one box):

\_\_\_\_ **Accept** the Plan

\_\_\_\_ **Reject** the Plan

Voting Amount: \_\_\_\_\_

Taxpayer Identification Number: \_\_\_\_\_

**Item 2. Acknowledgments.** By signing this Ballot, the undersigned acknowledges receipt of the Disclosure Statement and the other applicable solicitation materials and certifies that the undersigned is the claimant or has the power and authority to vote to accept or reject the Plan on behalf of the claimant. The undersigned understands that an otherwise properly completed and executed and timely returned Ballot that does not indicate either an acceptance or a rejection of the Plan or indicates both an acceptance and a rejection of the Plan, will not be counted.

\_\_\_\_\_  
Name of Creditor

\_\_\_\_\_  
Signature

\_\_\_\_\_  
If by Authorized Agent, Name and Title

\_\_\_\_\_  
Name of Institution

\_\_\_\_\_  
Street Address

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City, State, Zip Code

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Telephone Number

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Date Completed

## VOTING INFORMATION AND INSTRUCTIONS FOR COMPLETING BALLOT

1. In the boxes provided in Item 1 of the Ballot, please indicate either your acceptance or rejection of the Plan. Complete the Ballot by providing all of the information requested and sign, date and return the original, signed Ballot to the Proponent's counsel to: Kriss & Feuerstein LLP., 360 Lexington Avenue, Suite 1200, New York, New York 10017 – Attn: Jerold C. Feuerstein, Esq, Daniel N. Zinman, Esq.

2. Ballots (with original signatures) must be received by the Proponents' counsel on or before January 2, 2025 at 5:00 p.m. (prevailing Pacific Time) (the "Voting Deadline"). If a Ballot is received after the Voting Deadline, it will not be counted. Ballots submitted by Facsimile, email or other electronic transmission will not be counted, except as permitted in writing in the Proponent's sole discretion. If neither the "Accept" nor the "Reject" box is checked in Item 1 for an otherwise properly completed and executed and timely returned Ballot, the Ballot will not be counted.

3. **Please complete and return the Ballot you receive.** Your claims in each Class will be aggregated for voting purposes and you shall have one (1) vote in the aggregated amount. Please specify the Class(es) of Claims in which you are voting. If you happen to receive more than one Ballot on account of your Claims, you must vote all of your Claims under the Plan either to accept or to reject the Plan. Accordingly, if you return more than one Ballot voting different Claims under the Plan and the Ballots are not voted in the same manner, those Ballots will not be counted. An otherwise properly completed and executed and timely returned Ballot that attempts to partially accept and to partially reject the Plan likewise will not be counted.

4. In the event you are the holder of a Claim, your Claim has been **temporarily allowed solely for purposes of voting** to accept or to reject the Plan in accordance with certain tabulation rules (the "Tabulation Rules") approved by the Bankruptcy Court. The Tabulation Rules are set forth in the Disclosure Statement Order. The temporary allowance of your Claim for voting purposes does not constitute an allowance of your Claim for purposes of distribution under the Plan and is without prejudice to the rights of the Proponent in any other context (*e.g.*, the right to contest the amount or validity of any Claim for purposes of allowance under the Plan). If you wish to challenge the temporary allowance of the amount your Claim for Plan voting purposes, you must file a motion, pursuant to Rule 3018(a) of the Federal Rules of Bankruptcy Procedure, for an order temporarily allowing your Claim in a different amount or classification for purposes of voting to accept or reject the Plan and serve such motion on the Proponents so that it is received not later than **January 2, 2025 at 12:59 p.m. (prevailing Pacific Time)**. Unless the Bankruptcy

Court orders otherwise, your Claim will not be counted as a vote in excess of the amount as determined in accordance with the Tabulation Rules, regardless of the amount identified in Item 1 of the Ballot. If a lesser amount is identified in Item 1 of the Ballot, your Claim will be counted as a vote in such lesser amount.

5. The Ballot does not constitute, and will not be deemed, a Proof of Claim or an assertion of a Claim of Interest.

6. If you cast more than one Ballot voting the same Claim prior to the Voting deadline, the latest received valid Ballot will supersede any and all prior Ballots.

7. NO PERSON HAS BEEN AUTHORIZED TO GIVE ANY INFORMATION OR ADVICE, OR TO MAKE ANY REPRESENTATION, OTHER THAN AS CONTAINED IN THE MATERIALS MAILED WITH THIS BALLOT OR OTHER MATERIALS AUTHORIZED BY THE BANKRUPTCY COURT.

8. PLEASE RETURN YOUR BALLOT PROMPTLY. THE PROPONENT'S COUNSEL WILL **NOT** ACCEPT BALLOTS BY FACSIMILE, EMAIL OR OTHER ELECTRONIC TRANSMISSION UNLESS PRIOR WRITTEN CONSENT IS PROVIDED BY THE PROPONENT'S COUNSEL.

9. IF YOU HAVE RECEIVED A DAMAGED BALLOT OR HAVE LOST YOUR BALLOT, OR IF YOU HAVE ANY QUESTIONS CONCERNING THIS BALLOT OR THE VOTING PROCEDURES, PLEASE CONTACT THE PROPONENT'S COUNSEL BY TELEPHONE AT (212) 661-2900. THE PROPONENT'S COUNSEL IS NOT AUTHORIZED TO PROVIDE, AND WILL NOT PROVIDE, LEGAL ADVICE.